

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

IN THE MATTER OF THE SEARCH OF:
A property described [REDACTED]
[REDACTED] Pine Ridge, SD.

Case No. 5:19-mj-43

REDACTED
AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT

State of South Dakota)
) ss
County of Pennington)

I, David Lawrence, Special Agent of the Bureau of Indian Affairs Office of Justice Services being duly sworn, states as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am an investigative or law enforcement officer of the United States, within the meaning of 18 U.S.C. § 2510(7) and am empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516. I have 20 years of law enforcement experience. I have been assigned as a Special Agent with the BIA Pine Ridge Agency since 2018. Since that time I have been assigned investigative responsibilities of a multitude of Federal criminal violations occurring on the Pine Ridge Reservation, Indian country.

2. The information set forth below is based upon my knowledge of an investigation conducted by the BIA, the Federal Bureau of Investigation and the Oglala Sioux Tribe Department of Public Safety. I have not included each and every fact obtained pursuant to this investigation, but have set forth those facts that I believe are

essential to establish the necessary probable cause for the issuance of the search warrant.

3. I make this affidavit in support of an application for a search warrant for the search and seizure of the property described as a property described as [REDACTED] [REDACTED], Pine Ridge, SD. for evidence of a crime, in violation of 18 U.S.C. §§ 2111 and 1153, Armed Robbery.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from law enforcement and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

5. On the morning of April 23, 2019, the Oglala Sioux Tribe Department of Public Safety Dispatch (OSTDPS) received a call of a robbery with a firearm at a residence, [REDACTED] in Pine Ridge, South Dakota. Pine Ridge is within the exterior boundaries of the Pine Ridge Reservation.

6. Your affiant learned that the homeowner and reporting party, Joann Grass, advised OSTDPS that two males entered her residence with a gun and demanded the residents to "empty their pockets." The men were described as wearing blue bandanas over their faces and one of the males had a ski mask covering the lower portion of his face.

7. Your affiant learned that the gun was described as a pistol grip shotgun with a wood stock.

8. Another occupant inside the residence, S.R.S.C., advised law enforcement that after demanding the money, one of the men fired a round into the ceiling and that the men left in a blue dodge pickup.

9. Your affiant also learned that OSTDPS Officer Clayton Ten Fingers stopped a blue dodge pickup in Oglala, SD. The occupants of the vehicle were identified as juvenile J.S.B. and adult Carl Shockey. Your affiant learned that inside the vehicle, Officer Ten Fingers recovered a blue bandana.

10. Your affiant and Supervisory Special Agent Ted Thayer with the Bureau of Indian Affairs interviewed juvenile J.S.B. J.S.B. confessed to being at the residence at the time the firearm was discharged. J.S.B. advised that Shockey was the other male present with him. J.S.B. also advised the Agents that after the shooting, he and Shockey traveled to Mo (June Bug) Morgan's residence [REDACTED], and hid the firearm under a couch cushion in the basement.

11. Based on the information your affiant learned from J.S.B., your affiant believes there is probable cause to search the residence of Mo (June Bug) Morgan, [REDACTED] [REDACTED], Pine Ridge, SD.

12. J.S.B. and Shockey are enrolled members of the Oglala Sioux Tribe.

REQUEST FOR SEALING

13. I request that the Court issue an order sealing this search warrant and Affidavit in Support of Application for Search Warrant for a period of 180 days or until further order due to the fact that it contains information regarding a juvenile defendant and information that could jeopardize an ongoing investigation and result in possible witness intimidation.

CONCLUSION

14. Based on the forgoing, I request that the Court issue the proposed search warrant.

15. Based on the foregoing, I submit there is probable cause to believe that evidence of a crime may be found in the residence of June Bug Morgan, [REDACTED]
[REDACTED], Pine Ridge, SD. I submit there is probable cause to believe that evidence of a violation of 18 U.S.C. §§ 2111 and 1153, has occurred and I request a search warrant be issued authorizing the search and seizure of items in Attachment A.

Dated: 04/23/19


David Lawrence, Special Agent
Bureau of Indian Affairs
Office of Justice Services

SUBSCRIBED and SWORN via reliable electronic communication this 23th day of April, 2019.



DANETA WOLLMANN
U.S. Magistrate Judge